

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

SOUTHERN FARM BUREAU LIFE INSURANCE COMPANY PLAINTIFF

V. CASE NO. 4:21-CV-00219-BSM

T.J. JEFFERS and EMILY SANDERLIN DEFENDANTS

FIRST AMENDED COMPLAINT FOR INTERPLEADER

Comes the Plaintiff, Southern Farm Bureau Life Insurance Company (SFBLIC), and for its First Amended Complaint for Interpleader, states:

I.
PARTIES

1. SFBLIC is a life insurance company incorporated in and with a principal place of business in the State of Mississippi. SFBLIC is a citizen of Mississippi for diversity jurisdiction purposes. SFBLIC is authorized to transact insurance business within the State of Arkansas.

2. T.J. Jeffers (Jeffers) is a citizen and resident of Phillips County, Arkansas.

3. Emily Sanderlin (Emily) is a citizen and resident of Kansas.

II.
JURISDICTION & VENUE

4. This action is brought pursuant to Fed. R. Civ. P. 22.

5. Plaintiff's citizenship is diverse from both of the Defendants.

6. The amount in controversy exceeds the sum of \$75,000.00, exclusive of interest or costs.

7. Jurisdiction is proper in this Court pursuant to 28 U.S.C. § 1332(a)(1).

8. This action is brought in a judicial district in which a defendant resides and where a substantial part of the events giving rise to the claim occurred, that being the death of Stephanie Anne Sanderlin (Stephanie) in Grant County, Arkansas.

9. Venue, therefore, is proper in this Court pursuant to 28 U.S.C. §§ 1391(b)(1) and -(2).

III.
FACTS

10. On or about February 1, 2017 Stephanie applied to SFBLIC for a 20 year level term life insurance policy. In the application she designated Jeffers, identified as “fiancé,” as the primary beneficiary. Stephanie designated her two daughters, Emily and Cassidy James, as contingent beneficiaries. A copy of the application is attached hereto as Exhibit A.

11. On February 24, 2017, SFBLIC issued policy 014103707L (the policy) insuring the life of Stephanie, with the beneficiaries as designated in the application. The policy was in the face amount of \$100,000. A copy of the policy is attached hereto as Exhibit B.

12. Stephanie submitted numerous Beneficiary Change Requests for the policy between February 24, 2017 and August 10, 2020. An August 10, 2020

Beneficiary Change Request submitted by Stephanie designated Jeffers (50%) and Emily (50%) as primary beneficiaries. SFBLIC recorded the change and provided a copy of the recorded form by letter dated August 14, 2020. A copy of the recorded form and the August 14, 2020 letter are attached hereto collectively as Exhibit C.

13. Stephanie submitted a Beneficiary Change Request for the policy dated October 30, 2020 designating Emily as the sole primary beneficiary. SFBLIC recorded the change and provided a copy of the recorded form by letter dated November 2, 2020. A copy of the recorded form and the November 2, 2020 letter are attached hereto collectively as Exhibit D.

14. SFBLIC receive no additional Beneficiary Change Requests for the policy after October 30, 2020.

15. Stephanie died on December 18, 2020 in Grant County, Arkansas. A copy of the death certificate is attached hereto as Exhibit E.

16. On December 21, 2020 Emily submitted a signed Claimant's Statement for the proceeds of the policy. A copy of her Claimant's Statement is attached here as Exhibit F.

17. Emily requested an advance payment of a portion of the proceeds. A check for \$10,000 as an advance on the policy proceeds was mailed to Emily by letter dated December 21, 2020.

18. On or about December 28, 2020 SFBLIC received a letter from a lawyer

for Jeffers dated December 22, 2020 stating that Jeffers was the beneficiary on the policy and demanding payment of the \$100,000 policy proceeds. A copy of the letter is attached hereto as Exhibit G.

19. On or about January 7, 2021 SFBLIC received a copy of the death certificate.

20. On or about January 7, 2021 SFBLIC received another letter from Jeffers's lawyer informing that his client was "making an adverse claim for benefits" stating that Stephanie "was not in her right frame of mind when she changed the beneficiary." A copy of the letter is attached hereto as Exhibit H.

21. On or about January 25, 2021 SFBLIC received a Claimant's Statement signed by Jeffers on January 20, 2021 making a claim for the policy proceeds. A copy of that Claimant's Statement is attached hereto as Exhibit I.

IV.
INTERPLEADER RELIEF

22. Due to the conflicting claims of Jeffers and Emily, SFBLIC cannot pay the policy proceeds to either without risk of paying double the policy proceeds.

23. SFBLIC takes no position as to which of the parties is legally entitled to the policy proceeds. SFBLIC is a disinterested stakeholder in this matter.

24. SFBLIC desires to pay the remaining policy proceeds, Ninety Thousand and 00/100 (\$90,000.00) (the "remaining proceeds"), into the Registry of the Court, by tender of a check to the Clerk of the Eastern District of Arkansas. SFBLIC

requests that these proceeds be placed in an interest bearing account.

25. Upon tender of the remaining proceeds into the Registry of the Court, SFBLIC, as a disinterested stakeholder, requests that it be discharged from any further liability in this case.

WHEREFORE, the Plaintiff, SFBLIC, demands judgment on its Complaint for Interpleader as follows:

- (a) that the Court enter an Order restraining Defendants from instituting any action regarding the policy and/or for the recovery of the policy proceeds or remaining proceeds against SFBLIC and/or its agents;
- (b) that the Court enter an Order for Interpleader directing the Clerk of the Eastern District of Arkansas to accept the sum of Ninety Thousand and 00/100 (\$90,000.00), and applicable accrued interest, representing the remaining proceeds;
- (c) that the Court enter an Order discharging SFBLIC and/or its agents from any further responsibility or obligation to pay any sums due under the policy;
- (d) that the Clerk of the Eastern District of Arkansas be directed to deposit the remaining proceeds as referenced above into an interest bearing account pending determination by the Court as to the correct party to receive those sums;

- (e) for an Order dismissing all claims against SFBLIC with prejudice;
- (f) for an award of reasonable attorney's fees;
- (g) for an award of costs; and
- (h) for such other relief as authorized at law or in equity, as justified by the evidence.

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